

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1304**  
**97TH GENERAL ASSEMBLY**

4703S.03T

2014

---

**AN ACT**

To repeal sections 311.055 and 311.200, RSMo, and to enact in lieu thereof two new sections relating to intoxicating liquor, with an effective date for a certain section.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 311.055 and 311.200, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 311.055 and 311.200, to read as follows:

311.055. 1. No person at least twenty-one years of age shall be required to obtain a  
2 license to manufacture intoxicating liquor, as defined in section 311.020, for personal or family  
3 use. The aggregate amount of intoxicating liquor manufactured per household shall not exceed  
4 two hundred gallons per calendar year if there are two or more persons over the age of  
5 twenty-one years in such household, or one hundred gallons per calendar year if there is only one  
6 person over the age of twenty-one years in such household. Any intoxicating liquor  
7 manufactured under this section [may] **shall** not be **sold or** offered for sale.

8 2. Beer brewed under this section may be removed from the premises where brewed for  
9 personal or family use, including use at organized [affairs] **events**, exhibitions, or competitions,  
10 such as home brewer contests, tastings, or judging. The use may occur off licensed retail  
11 premises, on any premises under a temporary retail license issued under sections 311.218,  
12 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed premises  
13 as described in section 311.090.

14 3. Any beer brewed under this section used at an organized event where an  
15 admission fee is paid for entry, at which the beer is available without a separate charge,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **shall not be deemed a sale of beer, provided that the person who brewed the beer receives**  
17 **none of the proceeds from the admission fee and all consumption is conducted off licensed**  
18 **retail premises, under the premises of a temporary retail license issued under section**  
19 **311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed**  
20 **premises as described in section 311.090.**

311.200. 1. No license shall be issued for the sale of intoxicating liquor in the original  
2 package, not to be consumed upon the premises where sold, except to a person engaged in, and  
3 to be used in connection with, the operation of one or more of the following businesses: a drug  
4 store, a cigar and tobacco store, a grocery store, a general merchandise store, a confectionery or  
5 delicatessen store, nor to any such person who does not have and keep in his store a stock of  
6 goods having a value according to invoices of at least one thousand dollars, exclusive of fixtures  
7 and intoxicating liquors. Under such license, no intoxicating liquor shall be consumed on the  
8 premises where sold nor shall any original package be opened on the premises of the vendor  
9 except as otherwise provided in this law. For every license for sale at retail in the original  
10 package, the licensee shall pay to the director of revenue the sum of one hundred dollars per year.

11 2. For a permit authorizing the sale of malt liquor not in excess of five percent by weight  
12 by grocers and other merchants and dealers in the original package direct to consumers but not  
13 for resale, a fee of fifty dollars per year payable to the director of the department of revenue shall  
14 be required. The phrase "original package" shall be construed and held to refer to any package  
15 containing [three] **one** or more standard bottles, **cans, or pouches** of beer. Notwithstanding the  
16 provisions of section 311.290, any person licensed pursuant to this subsection may also sell malt  
17 liquor at retail between the hours of 9:00 a.m. and midnight on Sunday.

18 3. For every license issued for the sale of malt liquor at retail by drink for consumption  
19 on the premises where sold, the licensee shall pay to the director of revenue the sum of fifty  
20 dollars per year. Notwithstanding the provisions of section 311.290, any person licensed  
21 pursuant to this subsection may also sell malt liquor at retail between the hours of 9:00 a.m. and  
22 midnight on Sunday.

23 4. For every license issued for the sale of malt liquor and light wines containing not in  
24 excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other  
25 fruits and vegetables, at retail by the drink for consumption on the premises where sold, the  
26 licensee shall pay to the director of revenue the sum of fifty dollars per year.

27 5. For every license issued for the sale of all kinds of intoxicating liquor, at retail by the  
28 drink for consumption on premises of the licensee, the licensee shall pay to the director of  
29 revenue the sum of three hundred dollars per year, which shall include the sale of intoxicating  
30 liquor in the original package.

31           6. For every license issued to any railroad company, railway sleeping car company  
32 operated in this state, for sale of all kinds of intoxicating liquor, as defined in this chapter, at  
33 retail for consumption on its dining cars, buffet cars and observation cars, the sum of one  
34 hundred dollars per year. A duplicate of such license shall be posted in every car where such  
35 beverage is sold or served, for which the licensee shall pay a fee of one dollar for each duplicate  
36 license.

37           7. All applications for licenses shall be made upon such forms and in such manner as the  
38 supervisor of alcohol and tobacco control shall prescribe. No license shall be issued until the  
39 sum prescribed by this section for such license shall be paid to the director of revenue.

          Section B. The repeal and reenactment of section 311.200 of this act shall take effect on  
2 January 1, 2015.

✓